

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

DOUGLASS WAYNE SPEARS,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-19-00713-PRW
)	
ANDREW M. SAUL, Commissioner)	
of Social Security Administration,)	
)	
Defendant.)	

ORDER

On May 7, 2020, United States Magistrate Judge Suzanne Mitchell issued a Report and Recommendation in this action in which Plaintiff, Douglass Wayne Spears, seeks judicial review of the final decision of the Commissioner that he was not “disabled” under the terms of the Social Security Act (the “Act”), 42 U.S.C. §§ 405(g), 423(d)(1)(A) (Dkt. 25). The Magistrate Judge recommends that the Commissioner’s decision be affirmed. Plaintiff was advised of his right to object to the Report and Recommendation (Dkt. 25) by May 28, 2020, and Plaintiff did so on that date (Dkt. 26).

Plaintiff objects to the Magistrate Judge’s conclusion that the Administrative Law Judge (“ALJ”) committed no reversible error in determining that Plaintiff was not “disabled” under the Act. Specifically, Plaintiff contends that the ALJ did in fact err at multiple steps in its analysis by failing to properly consider Plaintiff’s medically determinable impairments, the medical opinions and credibility evidence, and the jobs Plaintiff could perform. Additionally, Plaintiff objects to the Report and Recommendation


by contending that the Magistrate Judge engaged in improper post-hoc rationalization of the ALJ's assessment of those legal and factual issues.

Having carefully reviewed this matter de novo, the Court agrees with the Magistrate Judge. The Court finds that the Magistrate Judge did not engage in any improper post-hoc reasoning in making her findings in the Report and Recommendation, as the Commissioner's decision properly considered all relevant evidence and committed no legal error. Therefore, the Court concludes that the Magistrate Judge did not err in affirming the Commissioner's final decision. As the basis for this conclusion, the Court adopts the analysis contained in the Report and Recommendation.

Accordingly, the Court:

- (1) **ADOPTS** the Report and Recommendation (Dkt. 25) issued by the Magistrate Judge on May 7, 2020, and
- (2) **AFFIRMS** the decision of the Commissioner.

IT IS SO ORDERED this 29th day of April 2021.



PATRICK R. WYRICK
UNITED STATES DISTRICT JUDGE